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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,510	07/19/2001	Michael L. Obradovich	56023/DMC/C685	9704
56317	7590	07/24/2006	EXAMINER	
CHRISTIE PARKER & HALE, LLP			BAYARD, DJENANE M	
P.O. BOX 7068			ART UNIT	
PASADENA, CA 91109-7066			PAPER NUMBER	
			2141	

DATE MAILED: 07/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/910,510

Applicant(s)

OBRADOVICH ET AL.

Examiner

Djenane M. Bayard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 26-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 26-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/28/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to amendment filed on 4/28/06 in which claims 1-5 and 26-45 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-5 and 26-45 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5 and 26-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. 2002/0133500 to Arlein et al in view of U.S. Patent No. 6, 108,540 to Sonti et al.

- a. As per claims 1 and 33, Arlein et al teaches a method for use in a server serving a user of a communication device, the method comprising: maintaining a plurality of profiles of the user (See page 3, paragraph [0029]), which are associated with different personae of the user (See

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page 3, paragraph [0029]); receiving, through a communication network a request for information concerning one or more resources, and; (See page 4, paragraph [0044], *it is also the compute system through which the user accesses the personae server to request and specify parameters of various personae*) ; collecting requested information from one or more sources based on the data; and providing the requested information to the communication device.

However, Arlein et al fails to teach receiving data indicative of a selected one form the personae and a location of the communication device determined by the communication device and the requested information including information concerning at least one resource in accordance with a profile associated with the selected persona, the at least one resource being selected as a function of at least the location of the communication device

Sonti et al teaches a muti-profile subscribe. Furthermore, Sonti et al teaches receiving data indicative of a selected one form the personae and a location of the communication device determined by the communication device and the requested information including information concerning at least one resource in accordance with a profile associated with the selected persona, the at least one resource being selected as a function of at least the location of the communication device (See col. 4, lines 41-65, col. 5, lines 40-45, col. 8, lines 45-67).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Sonti et al into the claimed invention of Arlein et al in order to allow a subscriber to prompt a change of profile containing a different set of features for different users of the mobile station or for different times of day or geographic areas (See abstract).

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b. As per claims 2 and 34, Arlein et al in view of Sonti et al teaches the claimed invention as described above. Furthermore, Arlein et al teaches wherein the profiles include a personal profile (See page 3, paragraph [0032]).

c. As per claims 3 and 35, Arlein et al in view of Sonti et al teaches the claimed invention as described above. Furthermore, Arlein et al teaches wherein the profiles include a business profile (See page 3, paragraph [0032]).

d. As per claims 4 and 36, Arlein et al in view of Sonti et al teaches the claimed invention as described above. Furthermore, Arlein et al teaches wherein the profiles include a vacation profile (See page 3, paragraph [0032]).

e. As per claims 5 and 37, Arlein et al in view of Sonti et al teaches the claimed invention as described above. Furthermore, Arlein et al teaches wherein the one or more sources are connected to the Internet (See page 1, paragraph [0003]).

f. As per claims 26 and 38, Arlein et al in view of Sonti et al teaches the claimed invention as described above. Furthermore, Arlein et al teaches The method of claim 2 wherein the personal profile includes a medical record, at least part of the collected information comprising personal medical information being stored in the medical record (See page 3, paragraph [0032]).

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g. As per claims 27 and 39, Arlein et al in view of Sonti et al teaches the claimed invention as described above. Furthermore, Arlein et al teaches wherein one of the profiles includes a financial record, at least part of the collected information comprising financial information being stored in the financial record (See page 3, paragraph [0032]).

h. As per claim 28 and 40, Arlein et al teaches the claimed invention as described above. Furthermore, Arlein et al teaches wherein the collected information is stored in the profile based on a location of at least one resource (See page 5, paragraphs [0047-049]).

i. As per claim 29 and 41, Arlein et al in view of Sonti et al teaches the claimed invention as described above. Furthermore, Arlein et al teaches wherein the collected information is stored in the profile based on one or more types of product or service provided by the at least one resource (See page 5, paragraph [0047-0049]).

j. As per claim 30-31 and 42-43, Arlein et al teaches the claimed invention as described above. Furthermore, Arlein et al teaches wherein one of the types of product or service concerns entertainment, restaurants and/or current events (See page 3, paragraph [0032]) and figure 7).

k. As per claim 32 and 44, Arlein et al in view of Sonti et al teaches the claimed invention as described above. However, Arlein et al fails to teach wherein location of the communication device is indicated by GPS data.

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Sonti et al teaches wherein location of the communication device is indicated by GPS data (See col. 8).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Sonti et al into the claimed invention of Arlein et al in order to allow a subscriber to prompt a change of profile containing a different set of features for different users of the mobile station or for different times of day or geographic areas (See abstract).

1. As per claim 45, Arlein et al in view of Sonti et al teaches the claimed invention as described above. However, Arlein et al fails to teaches planning a route to the at least one resource.

Sonti et al teaches planning a route to the at least one resource (See col.. 8).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Sonti et al into the claimed invention of Arlein et al in order to allow a subscriber to prompt a change of profile containing a different set of features for different users of the mobile station or for different times of day or geographic areas (See abstract).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,603,969 to Vuoristo et al teaches a subscribe service profiles in telecommunication system.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Djenane M. Bayard whose telephone number is (571) 272-3878. The examiner can normally be reached on Monday- Friday 5:30 AM- 3:00 PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharra can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Djenane Bayard

Patent Examiner


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER